

AMENDMENTS TO THE CLAIMS

Kindly replace claims 1 to 205 as follows.

1 1. (currently amended) A method, comprising the steps of:
2 processing data in a non-transitory memory of a computer, the computation in
3 furtherance of a lease of leasing a space from a landlord to a tenant under a space lease, the
4 verb “leasing” meaning “granting to another, or receiving a grant of from another, or taking
5 hold of or holding by a lease from another, the possession and use of real or personal
6 property, in return for present payment of or an obligation to pay rent or other consideration”;
7 computing data in a non-transitory memory of a computer, the computation in
8 furtherance of an improvements lease, the improvements lease being a lease of leasing tenant
9 improvements to the space from a special purpose entity to the tenant under an improvements
10 lease that is distinct from the space lease, the special purpose entity being a legal entity
11 owned under tax accounting rules by a landlord of the space, the special purpose entity
12 owning the improvements lease;
13 development of the tenant improvements being financed by the special purpose entity,
14 the special purpose entity being capitalized by: (a) an equity investment by the landlord of at
15 least three percent of the value of the tenant improvements and (b) debt issued by the special
16 purpose entity of at least about eighty percent of the value of the tenant improvements, the
17 debt being non-recourse against the special purpose entity, the landlord and the
18 improvements and being secured by an absolute obligation of the tenant;
19 receiving a rent payment from the tenant to the special purpose entity under the
20 improvements lease, the rent payments under the improvements lease having a present value
21 at least equal to a value of the improvements at a time of commencement of the
22 improvements lease;
23 the improvements lease being structured together with the space lease to support an
24 accounting conclusion that the space lease and improvements lease are to be considered
25 together as a single lease and classified as an operating lease under financial accounting rules

26 or a true lease under tax accounting rules, financial statements of the special purpose entity
27 being consolidated with financial statements of the landlord, rent payments under the
28 improvements lease being fully tax deductible to the tenant;
29 ~~at least some portion of the improvements lease being or having been performed by~~
30 ~~processing data in a non-transitory memory of a computer.~~

1 2. (currently amended) A method, comprising the steps of:
2 leasing a space from a landlord to a tenant under a space lease, the verb "leasing"
3 meaning "granting to another, or receiving a grant of from another, or taking hold of or
4 holding by a lease from another, the possession and use of real or personal property, in return
5 for present payment of or an obligation to pay rent or other consideration";
6 computing data in a non-transitory memory of a computer, the computation in
7 furtherance of an improvements lease, the improvements lease being a lease of leasing
8 improvements to the space to the tenant under an improvements lease that is distinct from the
9 space lease, the improvements lease being structured together with the space lease to support
10 an accounting conclusion that the space lease and improvements lease are to be considered
11 together as a single lease and classified as an operating lease under financial accounting rules
12 or a true lease under tax accounting rules;
13 ~~at least some portion of the improvements lease being or having been performed by~~
14 ~~processing data in a non-transitory memory of a computer~~ the data processed in the non-
15 transitory memory representing one or more of a group consisting of the landlord, the tenant,
16 a special purpose entity, a credit rating, a transaction date, a dollar amount, an investor or
17 lender.

3. (previously presented) The method of claim 2, wherein:
the improvements are leased from a special purpose entity, the landlord of the space
being the owner of, or lessor of the improvements to, the special purpose entity under tax
accounting, financial statements of the special purpose entity being consolidated with
financial statements of the landlord.

4. (original) The method of claim 3, wherein:

rent payments under the improvements lease are fully tax deductible to the tenant.

5. (original) The method of claim 3, wherein:

the improvements being financed by debt issued by the special purpose entity, the debt being non-recourse against the special purpose entity, the landlord and the improvements.

6. (original) The method of claim 5, wherein the debt is secured by a rent obligation of the tenant under a lease of the improvements.

7. (original) The method of claim 3, wherein:

the special purpose entity is capitalized by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the improvements.

8. (original) The method of claim 3, wherein:

at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

9. (original) The method of claim 8 wherein at least 3% of capitalization for the special purpose entity is a loan participation by the landlord.

10. (original) The method of claim 8 wherein at least 10% of capitalization for the special purpose entity is contributed by the landlord.

11. (original) The method of claim 8, wherein:

a majority of the loan to the special purpose entity is supplied by a party other than the landlord, and the landlord owns a participation in the loan made to the special purpose entity.

12. (previously presented) The method of claim 8:

wherein a building in which the space is located is encumbered by a mortgage; and further comprising the step of, entry by the lender to the special purpose entity and a mortgagee of the mortgage into an inter-creditor agreement, each waiving any interest in the other's collateral.

13. (original) The method of claim 3, wherein the improvements have been constructed and are owned by the landlord, the tenant or jointly by landlord and tenant; and further comprising the step of conveying or leasing the improvements to the special purpose entity before or concurrently with entry into the improvements lease.

14. (original) The method of claim 3, wherein:

equity and/or debt investments by the landlord in a plurality of special purpose entities owned by the landlord, each special purpose entity owning improvements for lease to a corresponding tenant, are cross-collateralized.

15. (original) The method of claim 3, wherein:

equity and/or debt investments by the landlord in a plurality of special purpose entities owned by the landlord, each special purpose entity owning improvements for lease to a corresponding tenant, are not cross-collateralized.

16. (original) The method of claim 3, wherein:

the improvements being financed by debt issued by the special purpose entity, the debt being secured at least in part by a lien on the improvements.

17. (original) The method of claim 3, wherein:
the improvements being financed by debt issued by the special purpose entity, the debt not being secured by a lien on the improvements.

18. (original) The method of claim 2, wherein the special purpose entity is a limited liability company, grantor trust, business trust, corporation, limited partnership, or other business association.

19. (original) The method of claim 2, wherein the special purpose entity has no ownership interest in any real property that includes the space.

20. (original) The method of claim 2, wherein:
rent payments under the improvements lease have a present value at least equal to a value of the improvements at a time of commencement of the improvements lease.

21. (original) The method of claim 2, the improvements being off-balance-sheet for the tenant, financing for the improvements being related to the cost of funds of the tenant.

22. (original) The method of claim 2, wherein financing for the improvements is provided by an entity other than the tenant.

23. (original) The method of claim 2, further comprising the step of:
entry by the tenant into an obligation to construct the improvements and to assume costs associated with the construction.

24. (original) The method of claim 2, wherein:
rent payments under the improvements lease are secured, in full or in part, by a personal or corporate guaranty or by a letter of credit of the tenant.

25. (original) The method of claim 2, wherein:
the tenant is the only tenant in a building in which the space is located.

26. (original) The method of claim 2, wherein the space is one of a plurality of spaces of a building divided for lease to a plurality of tenants, and the tenant is one of the plurality of tenants.

27. (original) The method of claim 2, wherein:
upon an event of default under the improvements lease, the tenant is obligated to purchase the improvements from the special purpose entity for a stipulated amount.

1 28. (currently amended) A computer, programmed:
2 to solicit proposals over the internet from tenants for financing for tenant
3 improvements to spaces leased by the respective tenants under respective space leases, each
4 proposal offering terms for lease of tenant improvements to the corresponding space under an
5 improvements that is a lease distinct from the corresponding space lease, each improvements
6 lease to be structured together with the corresponding space lease to support an accounting
7 conclusion that the space lease and improvements lease are to be considered together as a
8 single lease and classified as an operating lease under financial accounting rules or a true
9 lease under tax accounting rules; and
10 to solicit offers of financing from lenders to the tenants' proposals, and notify the
11 respective tenant and lender when an offer matches a proposal.

29. (original) The computer of claim 28, being further programmed:
to solicit offers of financing using an auction protocol.

30. (original) The computer of claim 28, being further programmed:

to store information on a plurality of tenant improvement loans closed between tenants and landlords, and to analyze the information.

1 31. (currently amended) A method, comprising the steps of:
2 leasing a space to a tenant, the verb "leasing" meaning "granting to another, or
3 receiving a grant of from another, or taking hold of or holding by a lease from another, the
4 possession and use of real or personal property, in return for present payment of or an
5 obligation to pay rent or other consideration"; and
6 computing data in a non-transitory memory of a computer, the computation in
7 furtherance of an improvements lease, the improvements lease being a lease of leasing
8 improvements to the space from a special purpose entity to the tenant, a landlord of the space
9 being the owner of, or lessor of the improvements to, the special purpose entity under tax
10 accounting rules, financial statements of the special purpose entity being consolidated with
11 financial statements of the landlord, rent payments under the improvements lease being fully
12 tax deductible to the tenant;
13 ~~at least some portion of the improvements lease being or having been performed by~~
14 ~~processing data in a non-transitory memory of a computer.~~

32. (original) The method of claim 31, wherein:
the improvements are financed by debt issued by the special purpose entity, the debt
being non-recourse against the special purpose entity, the landlord and the improvements.

33. (previously presented) The method of claim 32, wherein the debt is secured by a
rent obligation of the tenant under the improvements lease.

34. (original) The method of claim 31, wherein:
rent payments under the improvements lease have a present value at least equal to a
value of the improvements at a time of commencement of the improvements lease.

35. (previously presented) The method of claim 31, wherein:

the improvements lease is structured together with the space lease to support an accounting conclusion that the two leases are to be considered together as a single lease, classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

36. (previously presented) The method of claim 31, further comprising the step of:

capitalizing the special purpose entity by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the improvements.

37. (original) The method of claim 31, wherein:

at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

38. (original) The method of claim 37 wherein at least 10% of capitalization for the special purpose entity is contributed by the landlord.

39. (original) The method of claim 37, wherein:

a majority of the loan to the special purpose entity is supplied by a party other than the landlord and tenant, and the landlord owns a participation in the loan made to the special purpose entity.

40. (original) The method of claim 31:

wherein a building in which the space is located is encumbered by a mortgage; and further comprising the step of, entry by the lender to the special purpose entity and a mortgagee of the mortgage into an inter-creditor agreement, each waiving any interest in the other's collateral.

41. (original) The method of claim 31, wherein the improvements have been constructed and are owned by the landlord, the tenant or jointly by landlord and tenant; and further comprising the step of conveying or leasing the improvements to the special purpose entity before or concurrently with entry into the improvements lease.

42. (original) The method of claim 31, wherein:
equity and/or debt investments by the landlord in a plurality of special purpose entities owned by the landlord, each special purpose entity owning improvements for lease to a corresponding tenant, are cross-collateralized.

43. (original) The method of claim 31, wherein:
equity and/or debt investments by the landlord in a plurality of special purpose entities owned by the landlord, each special purpose entity owning improvements for lease to a corresponding tenant, are not cross-collateralized.

44. (original) The method of claim 31, wherein the special purpose entity is a limited liability company, grantor trust, business trust, corporation, limited partnership, or other business association.

45. (original) The method of claim 31, wherein the special purpose entity has no ownership interest in any real property that includes the space.

46. (original) The method of claim 31, the improvements being off-balance-sheet for the tenant, financing for the improvements being related to the cost of funds of the tenant.

47. (original) The method of claim 31, wherein financing for the improvements is provided by an entity other than the tenant.

48. (original) The method of claim 31, further comprising the step of:
entry by the tenant into an obligation to construct the improvements and to assume
costs associated with the construction.

49. (original) The method of claim 31, wherein:
rent payments under the improvements lease are secured, in full or in part, by a
personal or corporate guaranty or by a letter of credit of the tenant.

50. (original) The method of claim 31, wherein:
the tenant is the only tenant in a building in which the space is located.

51. (original) The method of claim 31, wherein the space is one of a plurality of
spaces of a building divided for lease to a plurality of tenants, and the tenant is one of the
plurality of tenants.

52. (original) The method of claim 31, wherein:
upon an event of default under the improvements lease, the tenant is obligated to
purchase the improvements from the special purpose entity for a stipulated amount.

1 53. (currently amended) A computer, programmed:
2 to solicit proposals from tenants over the internet for financing for tenant
3 improvements to spaces leased by the respective tenants under respective space leases, each
4 proposal offering terms for lease of tenant improvements to the corresponding space under an
5 improvements lease distinct from the corresponding space lease, each improvements lease
6 providing for lease of tenant improvements from a special purpose entity to the tenant, a
7 landlord of the space being the owner of, or lessor of the tenant improvements to, the special
8 purpose entity under tax accounting rules, financial statements of the special purpose entity
9 to be consolidated with financial statements of the landlord, rent payments under the
10 improvements lease to be fully tax deductible to the tenant;
11 to solicit offers of financing from lenders to the tenants' proposals, and notify the
12 respective tenant and lender when an offer matches a proposal.

54. (original) The computer of claim 53, being further programmed:
to solicit offers of financing using an auction protocol.

55. (original) The computer of claim 53, being further programmed:
to store information on a plurality of tenant improvement loans closed between
tenants and landlords, and to analyze the information.

1 56. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation in
3 furtherance of a lease, the lease being a lease of leasing an interest in real estate from a
4 special purpose entity to a tenant, the verb “leasing” meaning “granting to another, or
5 receiving a grant of from another, or taking hold of or holding by a lease from another, the
6 possession and use of real or personal property, in return for present payment of or an
7 obligation to pay rent or other consideration”, the special purpose entity being a legal entity
8 owned by a landlord of the real estate that includes the leased interest, the special purpose
9 entity owning the lease of the leased interest, development of an asset underlying the leased
10 interest being financed by debt issued by the special purpose entity, the debt being non-
11 recourse against the special purpose entity, the landlord and the asset;
12 ~~at least some portion of the lease being or having been performed by processing data~~
13 ~~in a non-transitory memory of a computer.~~

57. (previously presented) The method of claim 56, wherein the interest leased is an interest in a shorter-lived asset, and further comprising the step of:

leasing a longer-lived asset to the tenant, rent payments under the lease of the shorter-lived asset having a present value at least equal to a cost of the shorter-lived asset at a time of commencement of the lease of the shorter-lived asset;

the lease to the shorter-lived asset being structured together with the lease to the longer-lived asset to support an accounting conclusion that the two leases are to be considered together as a single lease and classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

58. (previously presented) The method of claim 56, further comprising the step of:

leasing tenant improvements within a space from the special purpose entity to the tenant under the lease of claim 56, the special purpose entity being a legal entity owned, or leased the tenant improvements, by a landlord of the space, the special purpose entity being capitalized by participations comprising: (a) an equity investment by the landlord of at least

three percent of the value of the tenant improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the tenant improvements.

59. (original) The method of claim 56, wherein the debt is secured by a triple-net absolute rent obligation of the tenant under a lease of the improvements.

1 60. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation in
3 furtherance of two leases, the leases being a lease of leasing a longer-lived asset and a lease
4 of a shorter-lived asset to a lessee under two separate leases, the verb "leasing" meaning
5 "granting to another, or receiving a grant of from another, or taking hold of or holding by a
6 lease from another, the possession and use of real or personal property, in return for present
7 payment of or an obligation to pay rent or other consideration", rent payments under the lease
8 of the shorter-lived asset having a present value at least equal to a cost of the shorter-lived
9 asset at a time of commencement of the lease of the shorter-lived asset;
10 at least some portion of the lease to the shorter-lived asset being structured together
11 with the lease to the longer-lived asset to support an accounting conclusion that the two
12 leases are to be considered together as a single lease, classified as an operating lease under
13 financial accounting rules or a true lease under tax accounting rules;
14 ~~at least some portion of leasing the shorter-lived asset being or having been~~
15 ~~performed by processing data in a non-transitory memory of a computer.~~

61. (original) The method of claim 60, wherein:
the longer-lived asset is a space in a building; and
the shorter-lived asset is tenant improvements to the space.

62. (previously presented) The method of claim 61, wherein:
the tenant improvements are owned by a special purpose entity, being a legal entity
owned by a landlord of the space.

63. (previously presented) The method of claim 62, further comprising the steps of:
capitalizing the special purpose entity by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the tenant improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the tenant improvements.

64. (original) The method of claim 62, wherein:
rent payments under the improvements lease are fully tax deductible to the lessee.

65. (previously presented) The method of claim 62, wherein:
the special purpose entity is capitalized by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the tenant improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the tenant improvements.

66. (original) The method of claim 62, wherein:
the building is divided for lease to multiple lessees.

67. (original) The method of claim 66, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the lessee.

68. (previously presented) The method of claim 62, wherein the tenant improvements have been constructed and are owned by the landlord, the lessee, or jointly by landlord and lessee;

and further comprising the step of conveying or leasing the tenant improvements to the special purpose entity before or concurrently with entry into the improvements lease.

69. (previously presented) The method of claim 62, wherein:
the landlord owns a plurality of special purpose entities, each owning tenant improvements for lease to a lessee.

70. (original) The method of claim 62, wherein the special purpose entity has no ownership interest in any real property that includes the space.

71. (previously presented) The method of claim 61, the tenant improvements being off-balance-sheet for the lessee, financing for the improvements being related to the cost of funds of the lessee.

72. (previously presented) The method of claim 61, further comprising the step of:
entry by the lessee into an obligation to construct the tenant improvements and to assume costs associated with the construction.

73. (original) The method of claim 61, wherein:
upon an event of default under the improvements lease, the lessee is obligated to purchase the improvements from the special purpose entity for a stipulated amount.

1 74. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation in
3 furtherance of an improvements lease, the improvements lease being a lease of leasing tenant
4 improvements within a space from a special purpose entity to a tenant, the verb “leasing”
5 meaning “granting to another, or receiving a grant of from another, or taking hold of or
6 holding by a lease from another, the possession and use of real or personal property, in return
7 for present payment of or an obligation to pay rent or other consideration”, the special
8 purpose entity being a legal entity owned by a landlord of the space, the special purpose
9 entity being capitalized by participations comprising: (a) an equity investment by the
10 landlord of at least three percent of the value of the tenant improvements and (b) debt issued
11 by the special purpose entity for at least about eighty percent of the value of the tenant
12 improvements;
13 ~~at least some portion of the tenant improvements lease being or having been~~
14 ~~performed by processing data in a non-transitory memory of a computer.~~

75. (original) The method of claim 74, wherein:
the building is divided for lease to multiple tenants, at least about 80% of the
capitalization of the special purpose entity being a loan to the special purpose entity secured
by a triple-net absolute obligation of the tenant.

76. (original) The method of claim 75 wherein at least 3% of capitalization for the
special purpose entity is a loan participation by the landlord.

77. (original) The method of claim 75:
wherein a building in which the space is located is encumbered by a mortgage; and
and further comprising the step of, entry by the lender to the special purpose entity
and a mortgagee of the mortgage into an inter-creditor agreement, each waiving any interest
in the other’s collateral.

78. (original) The method of claim 74, wherein:
financial statements of the special purpose entity are consolidated with financial statements of the landlord.

79. (original) The method of claim 78, wherein:
rent payments under the improvements lease are fully tax deductible to the tenant.

80. (previously presented) The method of claim 78, wherein:
the tenant improvements being financed by debt issued by the special purpose entity, the debt being non-recourse against the special purpose entity, the landlord and the tenant improvements.

81. (previously presented) The method of claim 80, wherein the debt is secured by a triple-net absolute rent obligation of the tenant under a lease of the tenant improvements.

82. (previously presented) The method of claim 78, wherein:
the tenant improvements have been constructed and are owned by the landlord, the tenant or jointly by landlord and tenant;
and further comprising the step of conveying or leasing the tenant improvements to the special purpose entity before or concurrently with entry into the improvements lease.

83. (previously presented) The method of claim 78, wherein:
the tenant improvements being financed by debt issued by the special purpose entity, the debt not being secured by a lien on the tenant improvements.

84. (original) The method of claim 74, wherein the special purpose entity is a limited liability company or limited partnership.

85. (original) The method of claim 74, wherein the special purpose entity is a grantor trust or business trust.

86. (original) The method of claim 74, wherein the special purpose entity is a corporation.

87. (original) The method of claim 74, wherein the special purpose entity has no ownership interest in any real property that includes the space.

88. (previously presented) The method of claim 74, the tenant improvements being off-balance-sheet for the tenant, financing for the tenant improvements being related to the cost of funds of the tenant.

89. (previously presented) The method of claim 74, wherein financing for the tenant improvements is provided by an entity other than the tenant.

90. (original) The method of claim 74, wherein:
the tenant is the only tenant in a building in which the space is located.

91. (original) The method of claim 74, wherein the space is one of a plurality of spaces of a building divided for lease to a plurality of tenants, and the tenant is one of the plurality of tenants.

92. (previously presented) The method of claim 74, wherein:
upon an event of default under the improvements lease, the tenant is obligated to purchase the tenant improvements from the special purpose entity for a stipulated amount.

1 93. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation in
3 furtherance of a lease, the lease being a lease of leasing an interest in a space from a special
4 purpose entity to a tenant, the verb “leasing” meaning “granting to another, or receiving a
5 grant of from another, or taking hold of or holding by a lease from another, the possession
6 and use of real or personal property, in return for present payment of or an obligation to pay
7 rent or other consideration”, the special purpose entity being a legal entity owned by a
8 landlord of the building including the space, the building being divided for lease to multiple
9 tenants, at least about 80% of the capitalization of the special purpose entity being a loan to
10 the special purpose entity secured by an absolute obligation of the tenant;
11 ~~at least some portion of the lease of the interest being or having been performed by~~
12 ~~processing data in a non-transitory memory of a computer.~~

94. (original) The method of claim 93, wherein the interest is a possessory interest in improvements to the space, the space being leased to the tenant under a separate lease, rent payments under the improvements lease having a present value at least equal to a cost of the improvements at a time of commencement of the improvements lease.

95. (previously presented) The method of claim 94, further comprising the step of:
structuring the improvements lease together with the space lease to support an accounting conclusion that the two leases are to be considered together as a single lease, classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

96. (original) The method of claim 93 wherein at least 3% of capitalization for the special purpose entity is a loan participation by the landlord.

97. (original) The method of claim 93 wherein at least 10% of capitalization for the special purpose entity is contributed by the landlord.

98. (original) The method of claim 93, wherein:

a majority of the loan to the special purpose entity is supplied by a party other than the landlord, and the landlord owns a participation in the loan made to the special purpose entity.

99. (original) The method of claim 93, wherein:

the improvements are financed by debt issued by the special purpose entity, the debt not being secured by a lien on the improvements.

100. (original) The method of claim 93, wherein the special purpose entity is a limited liability company, grantor trust, business trust, corporation, limited partnership, or other business association.

101. (original) The method of claim 93, wherein financing for the improvements is provided by an entity other than the tenant.

1 102. (currently amended) A method, comprising the steps of:
2 improving a space, financing for the improvements being provided by an entity other
3 than a tenant of the space, financing for the improvements being obtained at the tenant's cost
4 of funds;
5 leasing the space from a landlord to the tenant under a space lease, the verb "leasing"
6 meaning "granting to another, or receiving a grant of from another, or taking hold of or
7 holding by a lease from another, the possession and use of real or personal property, in return
8 for present payment of or an obligation to pay rent or other consideration"; and
9 computing data in a non-transitory memory of a computer, the computation in
10 furtherance of an improvements lease, the improvements lease being a lease of leasing the
11 improvements to the tenant under an improvements lease that is distinct from the space lease;
12 ~~at least some portion of the improvements lease being or having been performed by~~
13 ~~processing data in a non-transitory memory of a computer.~~

 103. (previously presented) The method of claim 102, wherein:
 the improvements are leased from a special purpose entity, the landlord of the space
being the owner of, or lessor of the improvements to, the special purpose entity under tax
accounting, financial statements of the special purpose entity being consolidated with
financial statements of the landlord.

 104. (previously presented) The method of claim 102, wherein:
 rent payments under the improvements lease are fully tax deductible to the tenant.

 105. (previously presented) The method of claim 103, wherein:
 the improvements being financed by debt issued by the special purpose entity, the
debt being non-recourse against the special purpose entity, the landlord and the
improvements.

106. (previously presented) The method of claim 105, wherein the debt is secured by a rent obligation of the tenant under a lease of the improvements.

107. (previously presented) The method of claim 103, wherein:
the special purpose entity is capitalized by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the improvements.

108. (previously presented) The method of claim 103, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

109. (previously presented) The method of claim 108, wherein:
a majority of the loan to the special purpose entity is supplied by a party other than the landlord, and the landlord owns a participation in the loan made to the special purpose entity.

110. (previously presented) The method of claim 108:
wherein a building in which the space is located is encumbered by a mortgage;
and further comprising the step of, entry by the lender to the special purpose entity and a mortgagee of the mortgage into an inter-creditor agreement, each waiving any interest in the other's collateral.

111. (previously presented) The method of claim 103, wherein the improvements have been constructed and are owned by the landlord, the tenant or jointly by landlord and tenant;

and further comprising the step of conveying or leasing the improvements to the special purpose entity before or concurrently with entry into the improvements lease.

112. (previously presented) The method of claim 103, wherein:
the improvements being financed by debt issued by the special purpose entity, the debt being secured at least in part by a lien on the improvements.

113. (previously presented) The method of claim 103, wherein:
upon an event of default under the improvements lease, the tenant assumes an obligation to purchase the improvements from the special purpose entity for a stipulated amount.

114. (previously presented) The method of claim 102, wherein:
the improvements lease is structured together with the space lease to support an accounting conclusion that the improvements lease is to be classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

115. (previously presented) The method of claim 102, wherein:
rent payments under the improvements lease have a present value at least equal to a value of the improvements at a time of commencement of the improvements lease.

116. (previously presented) The method of claim 102, the improvements being off-balance-sheet for the tenant.

117. (previously presented) The method of claim 102, further comprising the step of:
entry by the tenant into an obligation to construct the improvements and to assume costs associated with the construction.

118. (previously presented) The method of claim 102, wherein:
rent payments under the improvements lease are secured, in full or in part, by a personal or corporate guaranty or by a letter of credit of the tenant.

1 119. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation in
3 furtherance of a lease, the lease being a lease of leasing an interest in real estate from a
4 special purpose entity to a tenant, the verb “leasing” meaning “granting to another, or
5 receiving a grant of from another, or taking hold of or holding by a lease from another, the
6 possession and use of real or personal property, in return for present payment of or an
7 obligation to pay rent or other consideration”, the special purpose entity being a legal entity
8 distinct from a landlord of the real estate that includes the leased interest, the landlord having
9 sufficient ownership in the special purpose entity to establish the landlord’s genuine
10 economic risk in the lease, the special purpose entity owning the lease of the leased interest,
11 development of an asset underlying the leased interest being financed by debt issued by the
12 special purpose entity, the debt being non-recourse against the special purpose entity, the
13 landlord and the asset;
14 ~~at least some portion of the lease being or having been performed by processing data~~
15 ~~in a non-transitory memory of a computer,~~ the data processed in the non-transitory memory
16 representing at least one of a group consisting of (a) the landlord, ~~the~~ (b) the tenant, and (c)
17 ~~an a primary investor, secondary investor~~ [[,]] or lender [[,]] who contributed capital to the
18 asset or to an entity owning the asset.

120. (currently amended) The method of claim 119, further comprising the steps of:
leasing a space from the landlord to the tenant under a space lease;
leasing improvements to the space from the special purpose entity to the tenant under
the lease of claim 119, being an improvements lease that is distinct from the space lease, the
improvements lease being structured together with the space lease to support an accounting
conclusion that the space lease and improvements lease are to be considered together as a
single lease and classified as an operating lease under financial accounting rules or a true
lease under tax accounting rules.

121. (currently amended) The method of claim 119, further comprising the steps of:
leasing a space from the landlord to the tenant under a space lease;

leasing improvements to the space from a special purpose entity to the tenant under the lease ~~of claim 119~~, being an improvements lease that is distinct from the space lease, the landlord of the space being the owner of, or lessor of the improvements to, the special purpose entity under tax accounting rules, financial statements of the special purpose entity being consolidated with financial statements of the landlord, rent payments under the improvements lease being fully tax deductible to the tenant.

122. (previously presented) The method of claim 119, wherein the interest leased is an interest in a shorter-lived asset, and further comprising the step of:

leasing a longer-lived asset to the tenant, rent payments under the lease of the shorter-lived asset having a present value at least equal to a cost of the shorter-lived asset at a time of commencement of the lease of the shorter-lived asset;

the lease to the shorter-lived asset being structured together with the lease to the longer-lived asset to support an accounting conclusion that the two leases are to be considered together as a single lease and classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

123. (currently amended) The method of claim 119, further comprising the step of:

leasing tenant improvements within a space from a special purpose entity to a tenant under the lease ~~of claim 119~~, the special purpose entity being a legal entity owned, or leased the tenant improvements, by a landlord of the space, the special purpose entity being capitalized by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the tenant improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the tenant improvements.

124. (previously presented) The method of claim 119, wherein:

the special purpose entity is a legal entity owned by a landlord of a building, the building being divided for lease to multiple tenants, at least about 80% of the capitalization of the special purpose entity being a loan to the special purpose entity secured by an absolute obligation of the tenant.

125. (currently amended) The method of claim 119, further comprising the steps of:

improving a space, financing for the improvements being provided by an entity other than a tenant of the space; financing for the improvements being obtained at the tenant's cost of funds;

leasing the space from the landlord to the tenant under a space lease; and

leasing the improvements to the tenant under the lease ~~of claim 119~~, being an improvements lease that is distinct from the space lease.

126. (previously presented) The method of claim 2, wherein:

the portion of the lease performed by processing data in a non-transitory memory of a computer includes formatting or buffering messages for transmission to or received from a potential lessor or lessee on a non-transitory network, or displaying data on a non-transitory display, the data providing a solicitation to enter the improvements lease.

127. (previously presented) The method of claim 2, wherein:

the portion of the improvements lease performed by processing data in a non-transitory memory of a computer includes formatting or buffering data for transmission to or received from a potential lessor or lessee over a non-transitory network, or displaying data on a non-transitory display, or storing data in a non-transitory memory, the data containing terms of the improvements lease and reflecting origination of the improvements lease.

128. (previously presented) The method of claim 2, wherein:

the portion of the improvements lease performed by processing data in a non-transitory memory of a computer includes formatting or buffering data for transmission to or received from the lessor, lessee or a servicer over a non-transitory network, or displaying data on a non-transitory display, or storing data in a non-transitory memory, the data containing terms of the improvements lease, the data being transmitted, displayed or stored on a computer of the lessor, lessee, or servicer under control of programs for managing or servicing the improvements lease.

129. (previously presented) The method of claim 2, wherein:

the portion of the improvements lease performed by processing data in a non-transitory memory of a computer includes formatting or buffering data for transmission to or received from the lessor, lessee, investor or lender over a non-transitory network, or displaying data on a non-transitory display, or storing data in a non-transitory memory, the data containing terms of the improvements lease, the data being transmitted, displayed or stored on a computer of the lessor, lessee, investor or lender under control of programs for financial analysis of the improvements lease.

1 130. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation in
3 furtherance of an improvements lease, the improvements lease being a lease of ~~leasing~~ tenant
4 improvements within a space from a special purpose entity to a tenant under a tenant
5 improvements lease, the landlord of the space having sufficient ownership in the special
6 purpose entity to establish the landlord's genuine economic risk in the tenant improvements
7 lease, the special purpose entity being capitalized by participations comprising: (a) an equity
8 investment by the landlord of at least three percent of the value of the tenant improvements
9 and (b) debt issued by the special purpose entity for at least about eighty percent of the value
10 of the tenant improvements;
11 ~~at least some portion of the tenant improvements lease being or having been~~
12 ~~performed by processing data in a non-transitory memory of a computer, data processed in~~
13 the non-transitory memory of [[by]] the computer representing at least one of a group
14 consisting of (a) the landlord, (b) the tenant, and (c) ~~an primary investor, secondary investor~~
15 [[,]] or a lender [[,]] who contributed capital to the tenant improvements or to an entity
16 owning the tenant improvements.

131. (previously presented) The method of claim 130, wherein:
the building is divided for lease to multiple tenants, at least about 80% of the
capitalization of the special purpose entity being a loan to the special purpose entity secured
by a triple-net absolute obligation of the tenant.

132. (previously presented) The method of claim 131 wherein at least 3% of
capitalization for the special purpose entity is a loan participation by the landlord.

1 133. (currently amended) A method, comprising the steps of:
2 receiving a rent payment under a lease of a space from a landlord to a tenant under a
3 space lease;
4 computing data in a non-transitory memory of a computer, the computation
5 performing accounting to reflect receipt of ~~receiving~~ a rent payment under a lease of
6 improvements to the space to the tenant under an improvements lease that is distinct from the
7 space lease, the improvements lease being structured together with the space lease to support
8 an accounting conclusion that the space lease and improvements lease are to be considered
9 together as a single lease and classified as an operating lease under financial accounting rules
10 or a true lease under tax accounting rules;
11 ~~at least some portion of the improvements lease being or having been performed by~~
12 ~~processing data in a non-transitory memory of a computer,~~ the data processed in the non-
13 transitory memory representing at least one of a group consisting of (a) the landlord, (b) the
14 tenant, and (c) ~~an primary investor, secondary investor~~ [[,]] or lender [[,]] who contributed
15 capital to the asset or to an entity owning the improvements.

134. (previously presented) The method of claim 133, wherein:
the improvements are leased from a special purpose entity, the landlord of the space
being the owner of, or lessor of the improvements to, the special purpose entity under tax
accounting, financial statements of the special purpose entity being consolidated with
financial statements of the landlord.

135. (previously presented) The method of claim 134, wherein:
rent payments under the improvements lease are fully tax deductible to the tenant.

136. (previously presented) The method of claim 134, wherein:
the improvements being financed by debt issued by the special purpose entity, the
debt being non-recourse against the special purpose entity, the landlord and the
improvements.

137. (previously presented) The method of claim 134, wherein:

the special purpose entity is capitalized by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the improvements.

138. (previously presented) The method of claim 134, wherein:

at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

139. (previously presented) The method of claim 133, wherein:

rent payments under the improvements lease have a present value at least equal to a value of the improvements at a time of commencement of the improvements lease.

140. (currently amended) A method, comprising the steps of:

receiving a rent payment under a lease of a space to a tenant; and

computing data in a non-transitory memory of a computer, the computation

performing accounting to reflect receipt of receiving a rent payment under a lease of

improvements to the space from a special purpose entity to the tenant, a landlord of the space

being the owner of, or lessor of the improvements to, the special purpose entity under tax

accounting rules, financial statements of the special purpose entity being consolidated with

financial statements of the landlord, rent payments under the improvements lease being fully

tax deductible to the tenant;

~~at least some portion of the improvements lease being or having been performed by~~

~~processing data in a non-transitory memory of a computer,~~ data processed by a computer

representing at least one of a group consisting of the landlord, the tenant, a dollar amount of a

transaction, and an investor or lender loan purchaser.

141. (previously presented) The method of claim 140, wherein:
the improvements are financed by debt issued by the special purpose entity, the debt being non-recourse against the special purpose entity, the landlord and the improvements.

142. (previously presented) The method of claim 140, wherein:
rent payments under the improvements lease have a present value at least equal to a value of the improvements at a time of commencement of the improvements lease.

143. (previously presented) The method of claim 140, wherein:
the improvements lease is structured together with the space lease to support an accounting conclusion that the two leases are to be considered together as a single lease, classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

144. (previously presented) The method of claim 140, further comprising the step of:
capitalizing the special purpose entity by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the improvements.

145. (previously presented) The method of claim 140, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

146. (previously presented) The method of claim 140, wherein the special purpose entity has no ownership interest in any real property that includes the space.

147. (previously presented) The method of claim 140, wherein:
upon an event of default under the improvements lease, the tenant is obligated to purchase the improvements from the special purpose entity for a stipulated amount.

1 148. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation
3 performing accounting to reflect receipt of receiving a rent payment under leases of a longer-
4 lived asset and a shorter-lived asset to a lessee under two separate leases, rent payments
5 under the lease of the shorter-lived asset having a present value at least equal to a cost of the
6 shorter-lived asset at a time of commencement of the lease of the shorter-lived asset;
7 the lease to the shorter-lived asset being structured together with the lease to the
8 longer-lived asset to support an accounting conclusion that the two leases are to be
9 considered together as a single lease, classified as an operating lease under financial
10 accounting rules or a true lease under tax accounting rules;
11 ~~at least some portion of leasing the shorter-lived asset being or having been~~
12 ~~performed by processing data in a non-transitory memory of a computer, data processed by~~
13 the computer representing at least one of a group consisting of a lessor, the lessee, a dollar
14 amount of a transaction, and an investor or lender loan purchaser.

149. (previously presented) The method of claim 148, wherein:

the longer-lived asset is a space in a building; and

the shorter-lived asset is tenant improvements to the space.

150. (previously presented) The method of claim 149, further comprising the steps
of:

capitalizing a special purpose entity, being a legal entity owned by a landlord of the space, by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the tenant improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the tenant improvements.

151. (previously presented) The method of claim 150, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the lessee.

152. (previously presented) The method of claim 148, wherein:
rent payments under the lease to the shorter-lived asset are fully tax deductible to the lessee.

153. (previously presented) The method of claim 148, wherein:
the longer-lived asset is space in a building divided for lease to multiple lessees.

1 154. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation
3 performing accounting to reflect receipt of receiving a rent payment under a lease of tenant
4 improvements within a space from a special purpose entity to a tenant, the landlord having
5 sufficient ownership in the special purpose entity to establish the landlord's genuine
6 economic risk in the tenant improvements lease, the special purpose entity being capitalized
7 by participations comprising: (a) an equity investment by the landlord of at least three
8 percent of the value of the tenant improvements and (b) debt issued by the special purpose
9 entity for at least about eighty percent of the value of the tenant improvements;
10 ~~at least some portion of the tenant improvements lease being or having been~~
11 ~~performed by processing data in a non-transitory memory of a computer,~~ data processed by
12 the computer representing at least one of a group consisting of (a) the landlord, (b) the tenant,
13 (c) a dollar amount of a transaction, and (d) an investor or lender ~~loan purchaser~~.

155. (previously presented) The method of claim 154, wherein:
the building is divided for lease to multiple tenants, at least about 80% of the capitalization of the special purpose entity being a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

156. (previously presented) The method of claim 154, wherein:
rent payments under the tenant improvements lease are fully tax deductible to the tenant.

157. (previously presented) The method of claim 154, wherein:
the tenant improvements being financed by debt issued by the special purpose entity, the debt being non-recourse against the special purpose entity, the landlord and the tenant improvements.

1 158. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation
3 performing accounting to reflect receipt of receiving a rent payment under a lease of an
4 interest in a space from a special purpose entity to a tenant, the special purpose entity being a
5 legal entity owned by a landlord of the building including the space, the building being
6 divided for lease to multiple tenants, at least about 80% of the capitalization of the special
7 purpose entity being a loan to the special purpose entity secured by an absolute obligation of
8 the tenant;
9 ~~at least some portion of the lease of the interest being or having been performed by~~
10 ~~processing data in a non-transitory memory of a computer,~~ data processed by the computer
11 representing at least one of a group consisting of the landlord, the tenant, a dollar amount of a
12 transaction, and an investor or lender loan purchaser.

159. (previously presented) The method of claim 158, wherein the interest is a
possessory interest in improvements to the space, the space being leased to the tenant under a

separate lease, rent payments under the improvements lease having a present value at least equal to a cost of the improvements at a time of commencement of the improvements lease.

160. (previously presented) The method of claim 159, further comprising the step of: structuring the improvements lease together with the space lease to support an accounting conclusion that the two leases are to be considered together as a single lease, classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

1 161. (currently amended) A method, comprising the steps of:
2 improving a space, financing for the improvements being provided by an entity other
3 than a tenant of the space, financing for the improvements being obtained at the tenant's cost
4 of funds;
5 receiving a rent payment under a lease of the space from a landlord to the tenant
6 under a space lease; and
7 computing data in a non-transitory memory of a computer, the computation
8 performing accounting to reflect receipt of receiving a rent payment under a lease of the
9 improvements to the tenant under an improvements lease that is distinct from the space lease;
10 ~~at least some portion of the improvements lease being or having been performed by~~
11 ~~processing data in a non-transitory memory of a computer, data processed by the computer~~
12 representing at least one of a group consisting of the landlord, the tenant, a dollar amount of a
13 transaction, and an investor or lender loan purchaser.

162. (previously presented) The method of claim 161, wherein:
the improvements are leased from a special purpose entity, the landlord of the space being the owner of, or lessor of the improvements to, the special purpose entity under tax accounting, financial statements of the special purpose entity being consolidated with financial statements of the landlord.

163. (previously presented) The method of claim 161, wherein:
rent payments under the improvements lease are fully tax deductible to the tenant.

164. (previously presented) The method of claim 162, wherein:
the improvements being financed by debt issued by the special purpose entity, the
debt being non-recourse against the special purpose entity, the landlord and the
improvements.

165. (previously presented) The method of claim 164, wherein the debt is secured by
a rent obligation of the tenant under a lease of the improvements.

166. (previously presented) The method of claim 162, wherein:
the special purpose entity is capitalized by participations comprising: (a) an equity
investment by the landlord of at least three percent of the value of the improvements and
(b) debt issued by the special purpose entity for at least about eighty percent of the value of
the improvements.

167. (previously presented) The method of claim 162, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the
special purpose entity secured by a triple-net absolute obligation of the tenant.

168. (previously presented) The method of claim 167, wherein:
a majority of the loan to the special purpose entity is supplied by a party other than
the landlord, and the landlord owns a participation in the loan made to the special purpose
entity.

169. (previously presented) The method of claim 162, wherein:
the improvements being financed by debt issued by the special purpose entity, the
debt being secured at least in part by a lien on the improvements.

170. (previously presented) The method of claim 161, wherein:
the improvements lease is structured together with the space lease to support an accounting conclusion that the improvements lease is to be classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

171. (previously presented) The method of claim 161, wherein:
rent payments under the improvements lease have a present value at least equal to a value of the improvements at a time of commencement of the improvements lease.

1 172. (currently amended) A method, comprising the steps of:
2 computing data in a non-transitory memory of a computer, the computation
3 performing accounting to reflect receipt of receiving a rent payment under a lease of an
4 interest in real estate from a special purpose entity to a tenant, the special purpose entity
5 being a legal entity distinct from a landlord of the real estate that includes the leased interest,
6 the landlord having sufficient ownership in the special purpose entity to establish the
7 landlord's genuine economic risk in the lease, the special purpose entity owning the lease of
8 the leased interest, development of an asset underlying the leased interest being financed by
9 debt issued by the special purpose entity, the debt being non-recourse against the special
10 purpose entity, the landlord and the asset;
11 ~~at least some portion of the lease being or having been performed by processing data~~
12 ~~in a non-transitory memory of a computer,~~ data processed by the computer representing at
13 least one of a group consisting of the landlord, the tenant, the special purpose entity, a dollar
14 amount of a transaction, and an investor or lender ~~loan purchaser~~.

173. (currently amended) The method of claim 172, further comprising the steps of:
receiving a rent payment under a lease of a space from the landlord to the tenant
under a space lease;

computing data in a non-transitory memory of a computer, the computation
performing accounting to reflect receipt of receiving a rent payment under a lease of
improvements to the space from the special purpose entity to the tenant under the lease of
claim 172, being an improvements lease that is distinct from the space lease, the
improvements lease being structured together with the space lease to support an accounting
conclusion that the space lease and improvements lease are to be considered together as a
single lease and classified as an operating lease.

174. (previously presented) The method of claim 172, further comprising the steps
of::

receiving a rent payment under a lease of a space from the landlord to the tenant
under a space lease;

receiving a rent payment under a lease of improvements to the space from a special
purpose entity to the tenant under the lease of claim 172, being an improvements lease that is
distinct from the space lease, the landlord of the space being the owner of, or lessor of the
improvements to, the special purpose entity under tax accounting rules, financial statements
of the special purpose entity being consolidated with financial statements of the landlord, rent
payments under the improvements lease being fully tax deductible to the tenant.

175. (previously presented) The method of claim 172, wherein the interest leased is
an interest in a shorter-lived asset, and further comprising the step of:

receiving a rent payment under a lease of a longer-lived asset to the tenant, rent
payments under the lease of the shorter-lived asset having a present value at least equal to a
cost of the shorter-lived asset at a time of commencement of the lease of the shorter-lived
asset;

the lease to the shorter-lived asset being structured together with the lease to the longer-lived asset to support an accounting conclusion that the two leases are to be considered together as a single lease and classified as an operating lease under financial accounting rules or a true lease under tax accounting rules.

176. (previously presented) The method of claim 172, further comprising the step of: receiving a rent payment under a lease of tenant improvements within a space from a special purpose entity to a tenant under the lease of claim 172, the special purpose entity being a legal entity owned, or leased the tenant improvements, by a landlord of the space, the special purpose entity being capitalized by participations comprising: (a) an equity investment by the landlord of at least three percent of the value of the tenant improvements and (b) debt issued by the special purpose entity for at least about eighty percent of the value of the tenant improvements.

177. (previously presented) The method of claim 172, wherein:
the special purpose entity is a legal entity owned by a landlord of a building, the building being divided for lease to multiple tenants, at least about 80% of the capitalization of the special purpose entity being a loan to the special purpose entity secured by an absolute obligation of the tenant.

178. (previously presented) The method of claim 172, further comprising the steps of:
improving a space, financing for the improvements being provided by an entity other than a tenant of the space, financing for the improvements being obtained at the tenant's cost of funds;

receiving a rent payment under a lease of the space from the landlord to the tenant under a space lease; and

receiving a rent payment under a lease of the improvements to the tenant under the lease of claim 172, being an improvements lease that is distinct from the space lease.

1 179. (currently amended) A method, comprising the steps of:
2 leasing a space from a landlord to a tenant under a space lease, the verb “leasing”
3 meaning “granting to another, or receiving a grant of from another, or taking hold of or
4 holding by a lease from another, the possession and use of real or personal property, in return
5 for present payment of or an obligation to pay rent or other consideration”;

6 computing data in a non-transitory memory of a computer, the computation in
7 furtherance of a lease of leasing improvements to the space to the tenant under an
8 improvements lease that is [a] distinct from the space lease and [b] structured together with
9 the space lease to support an accounting conclusion that [b][1] the space lease and
10 improvements lease are to be considered together as a single lease and [b][2] classified as an
11 operating lease under financial accounting rules or a true lease under tax accounting rules;
12 and [c] ~~at least some portion of the improvements lease being or having been performed by~~
13 ~~processing data in a non-transitory memory of a computer.~~

1 180. (currently amended) A method, comprising the steps of:
2 leasing a space from a landlord to a tenant under a space lease, the verb “leasing”
3 meaning “granting or maintaining a grant to another, or receiving a grant of from another, or
4 taking hold of or holding by a lease from another, the possession and use of real or personal
5 property, in return for present payment of or an obligation to pay rent or other consideration”;

6 computing data in a non-transitory memory of a computer, the computation in
7 furtherance of a lease of leasing improvements to the space to the tenant under an
8 improvements lease that is distinct from the space lease;

9 the improvements lease and the space lease being consolidated together as a single
10 operating lease under financial accounting rules or a true lease under tax accounting rules;

11 said computing data comprising at least some portion of soliciting, originating,
12 managing, or analyzing the improvements lease ~~being or having been performed by~~
13 ~~processing data in a non-transitory memory of a computer.~~

1 181. (previously presented) A computer system, comprising:
2 hardware and software designed to assist a tenant in entering an improvements lease,
3 the improvements lease to grant the tenant possession and use of improvements to a space
4 leased to the tenant under a space lease that is distinct from the improvements lease;
5 a non-transitory memory storing data providing that the space lease and
6 improvements lease are to be consolidated together as a single lease for financial accounting;
7 and
8 a non-transitory memory storing data providing that, for financial accounting, the
9 consolidated lease is to be treated as an operating lease under financial accounting rules or a
10 true lease under tax accounting rules.

1 182. (currently amended) One or more non-transitory memories, having stored
2 thereon computer programs and/or data to cause at least one ~~computers~~ computer to:
3 process a payment on a lease for improvements to a space, financing for the
4 improvements being provided by an entity other than a tenant of the space, financing for the
5 improvements being obtained at the tenant's cost of funds, the space being leased from a
6 landlord to the tenant under a space lease, the improvements lease being distinct from the
7 space lease, at least some portion of the programs and/or data reflecting a characteristic of the
8 improvements lease or the interrelationship between the space and improvements leases.

1 183. (currently amended) A method comprising the steps of:
2 processing of data in a non-transitory memory of a computer, the processing
3 reflecting paying or receiving a payment on a lease granting rights to use tenant
4 improvements to a tenant, the tenant improvements being improvements to a space leased to
5 the tenant, financing or ownership of the tenant improvements being distinct from financing
6 or ownership of the space, an amount of the payment payable to a tenant improvements
7 payee for lease of the tenant improvements being segregable from an amount payable to a
8 distinct space payee for lease of the space, the segregation reflecting the distinct ownership
9 or financing, the lease of the improvements and the lease of the space lease being structured
10 to support an accounting conclusion that the leasing of the space lease and the leasing of the
11 tenant improvements are to be considered together as a single lease and classified as an
12 operating lease under financial accounting rules or a true lease under tax accounting rules;
13 the processed data representing at least one of a group consisting of (a) the lessor of
14 the space, (b) the lessor of the tenant improvements, (c) the tenant, and (d) an ~~primary~~
15 ~~investor, secondary~~ investor [[,]] or lender [[,]] who contributed capital to the improvements
16 or to an entity owing the improvements.

184. (previously presented) The method of claim 183, wherein:
the segregable amounts paid for lease of the tenant improvements are fully tax
deductible to the tenant.

185. (previously presented) The method of claim 183, wherein:
the tenant improvements were financed by debt issued by a special purpose entity, the
debt being non-recourse against the special purpose entity, the landlord and the
improvements.

186. (previously presented) The method of claim 185, wherein:
the debt is secured by a lien on the segregable payments for lease of the tenant
improvements.

187. (previously presented) The method of claim 185, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

188. (previously presented) The method of claim 183, wherein:
the present value of segregable amounts paid for lease of the tenant improvements are at least equal to a value of the tenant improvements at a time of commencement of the lease of the tenant improvements.

189. (previously presented) The method of claim 183, wherein:
financing for the tenant improvements was provided by an entity other than the tenant of the space, the tenant improvements financing being obtained at the tenant's cost of funds;

190. (previously presented) The method of claim 183, wherein
the lease of the tenant improvements and the lease of the space arise in a lease document with distinct lease covenants covering the space lease and the tenant improvements lease.

191. (previously presented) The method of claim 183, wherein
the lease of the tenant improvements and the lease of the space arise in an amendment or restructuring of a preexisting lease agreement.

192. (previously presented) The method of claim 183:
the segregable amount of the payment payable to a tenant improvements payee being paid into a payment distribution agent for distribution of segregable amounts to appropriate payees.

1 193. (currently amended) A method comprising the steps of:
2 processing of data in a non-transitory memory of a computer, the processing
3 reflecting paying or receiving a payment on a lease granting rights to use a shorter-lived asset
4 to a lessee, the shorter-lived asset being functionally related to a longer-lived asset also
5 leased to the lessee, financing or ownership of the shorter-lived asset being distinct from
6 financing or ownership of the longer-lived asset, an amount of the payment payable by the
7 lessee to a payee for the shorter-lived asset for lease of the shorter-lived asset being
8 segregable from an amount payable by the lessee to a distinct payee for lease of the longer-
9 lived asset, the segregation reflecting the distinct ownership or financing,
10 the segregable payment stream directed to the shorter-lived asset having a present
11 value at least equal to a cost of the shorter-lived asset at a time of commencement of the lease
12 covering the shorter-lived asset;
13 at least some portion of the lease to the shorter-lived asset being structured together
14 with the lease to the longer-lived asset to support an accounting conclusion that the two
15 leases are to be considered together as a single lease, classified as an operating lease under
16 financial accounting rules or a true lease under tax accounting rules.

194. (previously presented) The method of claim 193, wherein:
rent payments under the shorter-lived asset lease are fully tax deductible to the lessee.

195. (previously presented) The method of claim 193, wherein:
the shorter-lived asset was financed by debt issued by a special purpose entity, the
debt being non-recourse against the special purpose entity, the lessor and the shorter-lived
asset.

196. (previously presented) The method of claim 193, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the
special purpose entity secured by a triple-net absolute obligation of the lessee.

1 197. (currently amended) A method comprising the steps of:
2 processing of data in a non-transitory memory of a computer, the processing
3 reflecting paying or receiving a payment on a lease granting rights to use tenant
4 improvements to a tenant, the tenant improvements being improvements to a space leased to
5 the tenant, financing or ownership of the tenant improvements being distinct from financing
6 or ownership of the space, an amount of the payment payable to a tenant improvements
7 payee for lease of the tenant improvements being segregable from an amount payable to a
8 distinct space payee for lease of the space, the segregation reflecting the distinct ownership
9 or financing;

10 financing for the tenant improvements being provided by an entity other than a tenant
11 of the space, financing for the tenant improvements being obtained at the tenant's cost of
12 funds;

13 the processed data representing at least one of a group consisting of (a) the lessor of
14 the space, (b) the lessor of the tenant improvements, (c) the tenant, and (d) an primary
15 ~~investor, secondary~~ investor [[,]] or lender [[,]] who contributed capital to the improvements
16 or to an entity owing the improvements.

198. (currently amended) The method of claim 197, wherein:

the lease of the improvements and the lease of the space lease is structured to support an
accounting conclusion that the leasing of the space lease and the leasing of the tenant
improvements are to be considered together as a single lease and classified as an operating lease
under financial accounting rules or a true lease under tax accounting rules.

199. (previously presented) The method of claim 197, wherein:

the segregable amounts paid for lease of the tenant improvements are fully tax deductible
to the tenant.

200. (previously presented) The method of claim 197, wherein:

the tenant improvements were financed by debt issued by a special purpose entity, the
debt being non-recourse against the special purpose entity, the landlord and the improvements.

201. (previously presented) The method of claim 197, wherein:
the debt is secured by a lien on the segregable payments for lease of the tenant improvements.

202. (previously presented) The method of claim 197, wherein:
at least about 80% of the capitalization of the special purpose entity is a loan to the special purpose entity secured by a triple-net absolute obligation of the tenant.

203. (previously presented) The method of claim 197, wherein:
the present value of segregable amounts paid for lease of the tenant improvements are at least equal to a value of the tenant improvements at a time of commencement of the lease of the tenant improvements.

204. (previously presented) The method of claim 2, wherein
the improvements lease and the space lease arise in a lease document with distinct lease covenants covering the space lease and the improvements lease.

205. (previously presented) The method of claim 2, wherein
the improvements lease and the space lease arise in an amendment or restructuring of a preexisting lease agreement to which the tenant, space landlord, and improvements landlord are parties.